

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

EDWARD CHRISTOPHER GALKA,

Plaintiff(s),

**CASE NUMBER: 07-13764
HONORABLE VICTORIA A. ROBERTS**

v.

PATRICIA CARUSO, et al.,

Defendant(s).

ORDER

This matter is before the Court on Plaintiff Edward Christopher Galka's Motion for Appointment of Counsel and 120 Day Continuance on Defendants' 56B Motion for Summary Judgment.

Plaintiff is a *pro se* inmate. He alleges that Defendants Printes Shipp and Malissa Clark engaged in various acts of harassment against him in violation of several state and federal laws. On February 11, 2008, Defendants filed a Motion for Summary Judgment on all of Plaintiff's claims. Plaintiff requests appointment of counsel and a 120 day continuance to respond to Defendants' motion. Plaintiff contends that he has a constitutional right to counsel and that he needs legal assistance because of his limited resources and the complexity of the issues.

Plaintiff does not have a constitutional right to appoint of counsel in a civil case. The Court may, but is not obligated to, appoint counsel for indigent inmates in civil actions. *Willett v Wells*, 469 F.Supp. 748, 751 (D.C. Tenn. 1977). Such appointments

are only justified in exceptional cases. *Id; Smith v ABN AMRO Mortgage Group, Inc.*, 2007 W.L. 950334, *13 (S.D. Ohio 2007).

The Court is not persuaded that this is an exceptional case. Defendant's request for appointment of counsel is **DENIED**. But, Plaintiff's request for a continuance is **GRANTED IN PART**. Plaintiff's Response to Defendants' Motion for Summary Judgment must be filed by May 5, 2008.

IT IS ORDERED.

S/Victoria A. Roberts

**Victoria A. Roberts
United States District Judge**

Dated: March 7, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record and pro se plaintiff by electronic means or U.S. Mail on March 7, 2008.

s/Carol A. Pinegar
Deputy Clerk